

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
KEITH WHITTAKER,

Petitioner,

-against-

MHR FUND MANAGEMENT LLC, MHR
INSTITUTIONAL ADVISORS II LLC, AND MHR
INSTITUTIONAL ADVISORS III LLC,

Respondents.

ANALISA TORRES, District Judge:

USDC SDNY
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20 Civ. 7599 (AT)

ORDER

A petition to vacate, modify, or confirm an arbitration award must be “treated as akin to a motion for summary judgment.” *D.H. Blair & Co., Inc. v. Gottdiener*, 462 F.3d 95, 109 (2d Cir. 2006); *see also ICC Chem. Corp. v. Nordic Tankers Trading A/S*, 186 F. Supp. 3d 296, 299–300 (S.D.N.Y. 2016). The parties must therefore move in accordance with Rule 56 of the Federal Rules of Civil Procedure and Local Rule 56.1 of the Southern District of New York. Accordingly, by **December 14, 2020**, the parties shall exchange 56.1 statements. By **December 22, 2020**, the parties shall file on the docket their 56.1 statements and responses.

SO ORDERED.

Dated: December 4, 2020
New York, New York



ANALISA TORRES
United States District Judge